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March 20, 2014

USDA Forest Service  
Attn: EMC - Administrative Reviews  
1400 Independence Ave. SW  
Mailstop: 1104  
Washington, DC 20250-1104

Dear Chief of the Forest Service:

I am writing to formally object to a decision in the Shoshone Land Management Plan Draft Decision. The responsible official for the Shoshone National Forest's Land Management Plan Revision is the Rocky Mountain Regional Forester, Daniel J. Jirón. I realize that I don't have standing in regards to the decision to not recommend the Dunoir Special Management Unit (SMU) as Wilderness since I did not comment during the formal comment periods, however the draft decision to allow mountain bikes in Dunoir is a new issue that arose after the opportunity for formal comment. In the DEIS it was proposed that management of the Dunoir SMU would exclude mountain bike use. I do object to that plan to now allow mountain bike use in the Dunoir Special Management Unit.

As a retired Forest Service Wildlife Biologist who spent 15 plus years on the Wind River Ranger District of the Shoshone National Forest, I am familiar with the trails in the Dunoir and concerned about the safety of the different users on the 6.8 mile section of Pinnacle Butte Trail. Granted, there are other trails where the same concern for safety of both mountain bikers and horseback riders exists. There are sections of this trail that have several very steep sections in the timber with short sight distances, and depending on travel direction, mountain bikers will be pushing their bikes up or cascading down the trail at varying speeds depending on their experience and skill levels and their nerve. The latter is of concern for the horseback riders who are also using these trails. I am not saying that collisions will be common place but the chances will definitely go up, however the near misses with the potential for injury from and to spooked horses at the sight of fast bikes approaching or sound of bike brakes is more troublesome for many of the back country horsemen, including myself. Now, I do own a mountain bike and like to ride it on more gentle terrain, but at my age, the extreme sports are behind me. I cannot imagine dropping off of Bonneville Pass into Dundee Meadows on a bike and then having to push it up Grizzly Creek only to climb up out of the Kissinger Lakes area to Firetower Meadows and then cascade off the south end of the Pinnacles Butte into the Brooks Lake Creek drainage to the trailhead along the road. Maybe when I was in my twenties! And I am sure that those who will and are riding this trail on mountain bikes will say "then don't do it but don't stop us; our

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safety is not your concern.” However, when it involves my safety and those who are on horseback with me and the horses safety, it is my concern.

Safety for trail users aside, more importantly is the apparent inconsistency that this draft decision has with the law that established the Dunoir Special Management Unit. Public Law 92-476 states that “...the Secretary of Agriculture shall not permit.....public or private vehicular use of any existing road...” , “...shall administer said unit in accordance with the laws, rules, and regulations relating to the national forests especially to provide for nonvehicular access recreation...”, and “...take measures as are necessary for the health and safety of visitors and protect the resources of said unit...”. I realize that part of the rationale for the draft decision, as recommended by the Forest Supervisor, Joe Alexander, is based on congressional intent, however the language in the law is very clear: “...shall not permit...vehicular use...” and “...provide for nonvehicular access...”. I cannot take my mountain bike or my wheeled game cart into designated Wilderness because they are mechanized vehicles, but in the Dunoir, mountain bikes are not vehicles? That is not consistent.

I have three concerns with the language in the Changes from Draft to Final Section of the draft Record of Decision for this issue. First: the reference to a letter from the Deputy Chief to the Regional Foresters in 2008 is alarming when a portion of it is printed out of context (I, as an advocate for Wilderness, at least hope it is out of context). I think that Forest Service officials should be concerned about semantics and language when they print something like this: “...a 2008 letter from USDA Forest Service Deputy Chief Joel Holtrop to the Regional Foresters stating, “...mountain biking is a non-motorized use of National Forest System trails, along with hiking and horseback riding.” I, as a former employee, realize that the Deputy Chief didn’t mean all National Forest System Trails, including those trails that are in designated Wilderness, but not all readers will. If the agency continue with this draft decision, that language should be corrected.

Second, the rationale used for this draft decision, fuels the argument of those pro-mountain bike users of the Dunoir SMU to respond that if the intent was to limit only motorized vehicles then we should be able to ride our mountain bikes on any of the trails in the Dunoir and even off trail anywhere in the Special Management Unit.

Third, we all know as decision makers how false the following statement is: “I respond that the situation will be no different in the future than it is today and my decision will limit any further expansion of the current use.” We have seen how the rapid expansion of off-road-vehicle use has spread across our National Forest System lands. I submit that in the future mountain biking use in the Dunoir will expand to the other trails and be different than it is today and just because you say your decision will limit any further expansion of the current use doesn’t make it so. We know that budgets for enforcement of these decisions will never meet the demand.

Sincerely,

Mark Hinschberger